THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION Nos :2131 & 2133 of 2007

DATED: 13-03-2007

W.P.No.2131 of 2007

BETWEEN:
Pallam Sathaiah.

..... PETITIONER

AND

The Station House Officer,
I Town Police Station,
Karimnagar Town,
Karimnagar District.

.....RESPONDENT

W.P.No.2133 of 2007

BETWEEN:
Pallam Sathaiah.

..... PETITIONER

AND

The Station House Officer,
I Town Police Station,
Karimnagar Town,
Karimnagar District.

.....RESPONDENT

COMMON ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Home appearing for the respondent.

2. These two Writ Petitions have been filed seeking a writ of mandamus declaring the action of the respondent in not registering the cases pursuant to the private complaint filed by the petitioner wherein the Additional Judicial First Class Magistrate, Karimnagar referred the cases for investigation under Section 156(3) Cr.P.C.

3. I am of the opinion that as and when a case has been referred by the concerned Magistrate, there is no option for the police except to register the case and investigate the same.

4. Learned Government Pleader submits that the Cr.Nos.44 of 2007 and 45 of 2007 have been registered on 08-02-2007 by the respondent.

5. It is stated that when the cases have been referred by the concerned Magistrate on 05-05-2006, the Superintendent of Police ought to have taken appropriate disciplinary action against the respondent for failure of registration of the cases.

6. Accordingly, the Writ Petitions are allowed with costs of Rs.2000/- (rupees two thousand only) payable by the respondent to the petitioner.

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V.ESWARAIAH, J

13th March, 2007
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